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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/567,916

09/13/2006

Ulrich Schroder

USC.PO1.03US

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23399 7590 03/17/2010
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EXAMINER

LE, HUYEN D

ART UNIT

PAPER NUMBER

3751

MAIL DATE

DELIVERY MODE

03/17/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/567,916	Applicant(s) SCHRODER, ULRICH	
	Examiner Huyen Le	Art Unit 3751	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2 and 5-9 is/are rejected.
- 7) ☒ Claim(s) 3, 4, 10 and 11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: claim 1, "syphon trap", --a-- should be inserted. Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Regarding claim 1, the phrase " the same" in line 5 renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "or the like"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1 and 5-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Brady (730,227).

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Brady teaches a urinal comprising a dish which forms a urinal basin (A) having a drain passage in the bottom, and a syphon trap (D) connected to the drain passage (at b'), wherein the dish forms an essentially vertical wall (b⁷) which separates the urinal basin (A) from a chamber (b^x) arranged behind, and the syphon trap (D) is arranged to be accessible from above in the chamber (b^x).

Regarding claim 5, the syphon trap (D) is a waterless syphon trap.

Regarding claim 6, the syphon trap (D) is detachably, but fluid-tightly, inserted into an intermediate floor (b³) which, together with a rear wall (b⁸) and the vertical wall (b⁷), forms a tub that extends higher than the edge of the urinal basin (A).

Regarding claim 7, the syphon trap (D) has a forced ventilation valve (b¹⁹).

7. Claims 1 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Ruegg (5,257,422)

Ruegg teaches a urinal comprising a dish which forms a urinal basin (18) having a drain passage (24) in the bottom, and a syphon trap (2,3,4) connected to the drain passage (24), wherein the dish forms an essentially vertical wall which separates the urinal basin (18) from a chamber arranged behind the basin (18), and the syphon trap (2,3,4) is arranged to be accessible from above in the chamber.

Regarding claim 5, the syphon trap (D) is a waterless syphon trap.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 3751

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brady in view of Wong et al. (5,584,079).

Although Brady does not disclose a dosing system with the urinal, attention is directed to the Wong et al. reference which teaches a dosing system for automatically dispensing cleaning agents to a urinal. Therefore, it would have been obvious to one of skill in the art at the time the invention was made to employ a dosing system on the Brady urinal in view of the teaching of Wong et al. for dispensing cleaning agents to the urinal bowl.

10. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ruegg in view of Neuo (6,470,504).

Although Ruegg does not disclose the vertical wall having a convex shape bulging into the basin, attention is directed to Neuo which teaches a urinal having a vertical wall bulging into the basin. therefore, it would have been obvious to one of skill in the art to employ a vertical wall bulging into the basin the Ruegg in view of the teaching of Neuo for reducing flashing during use.

11. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ruegg in view of Wong et al. (5,584,079).

Although Ruegg does not disclose a dosing system with the urinal, attention is directed to the Wong et al. reference which teaches a dosing system for automatically dispensing cleaning agents to a urinal. Therefore, it would have been obvious to one of

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skill in the art at the time the invention was made to employ a dosing system on the Ruegg urinal in view of the teaching of Wong et al. for dispensing cleaning agents to the urinal bowl.

Allowable Subject Matter

12. Claims 3,4, 10 and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huyen Le whose telephone number is 571-272-4890. The examiner can normally be reached on Monday-Friday from 9:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Huson can be reached on 571-272-4887. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Huyen Le/
Primary Examiner, Art Unit 3751